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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DENIS GUTSU,  
  
Defendant.

CASE NO. 2:23-CR-0272 DAD

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

DATE: April 29, 2024  
TIME: 9:30 a.m.  
COURT: Hon. Dale A. Drozd

**STIPULATION**

1. By previous order, this matter was set for status on April 29, 2024.
2. By this stipulation, defendant now moves to continue the status conference until July 16, 2024, and to exclude time between April 29, 2024, and July 16, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has provided gigabytes of discovery consisting of credit card records, receipts, and text messages along with surveillance images and images seized from digital devices. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. The government is also in the process of producing gigabytes of additional discovery.
  - b) Counsel for defendant desires additional time to consult with his client, to review the current charges, the conduct investigation and research related to the charges, to review

discovery for this matter, and to otherwise prepare for trial.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of April 29, 2024 to July 16, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: April 17, 2024

PHILLIP A. TALBERT  
United States Attorney

/s/ NICHOLAS M. FOGG  
NICHOLAS M. FOGG  
Assistant United States Attorney

Dated: April 17, 2024

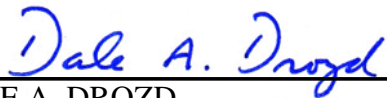
/s/ SHAUN KHOJAYAN  
SHAUN KHOJAYAN  
Counsel for Defendant  
DENIS GUTSU

**ORDER**

Pursuant to the stipulation of the parties and good cause appearing, the status conference in this case previously scheduled for April 29, 2024, is continued to July 16, 2024, at 9:30 a.m. and time is excluded between April 29, 2024, and July 16, 2024, under Local Code T4.

IT IS SO ORDERED.

Dated: April 17, 2024

  
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DALE A. DROZD  
UNITED STATES DISTRICT JUDGE